

from both the House and the Senate to retain these grant provisions in the conference report of this bill.

I thank Congressman SHIMKUS and Chairman TAUZIN for their work in securing passage of Anton's Law by the House of Representatives, and urge President Bush to sign this necessary child safety bill into law as soon as possible.

2001 FEDERAL BUREAU OF INVESTIGATION UNIFORM CRIME REPORT

Mr. LEVIN. Mr. President, according to the Federal Bureau of Investigation's Annual Uniform Crime Report for 2001, 15,980 people were murdered last year; 8,719 of the 15,980 deaths were caused by a firearm, and of those murders, 6,790 were caused by a handgun. Six hundred and seventy-two murders occurred in my home State of Michigan. These numbers are staggering. There are several commonsense bills in the Senate that would reduce gun violence and gun crime, and I am disappointed that it appears that the 107th Congress will come to a close without the enactment of meaningful gun safety legislation.

On April 24, 2001, Senator REED introduced the Gun Show Background Check Act. This bill would close a loophole in the law which allows unlicensed private gun dealers to sell guns without performing a National Instant Criminal Background System check. I cosponsored that bill because I believe it would be an important tool to prevent guns from getting into the hands of criminals and other people prohibited from owning a firearm.

I am also a cosponsor of Senator DURBIN's Children's Access Prevention Act. Under this bill, adults who fail to lock up a loaded firearm or an unloaded firearm with ammunition would be held liable if the weapon is taken by a child and used to kill or injure themselves or another person. The bill also increases the penalties for selling a gun to a juvenile and creates a gun safety education program that includes parent-teacher organizations, local law enforcement and community organizations. This bill is similar to a bill President Bush signed into law during his tenure as the Governor of Texas.

More recently, I cosponsored Senator KOHL's Ballistics, Law Assistance, and Safety Technology Act, or BLAST Act, which would require licensed firearms manufacturers to test fire firearms, and prepare ballistics images of the fired bullets and casings of new firearms. Expanding the National Integrated Ballistics Information Network to include these ballistics images would increase the crime gun tracing capabilities of the Bureau of Alcohol, Tobacco, and Firearms. ATF agents could quickly identify firearms by using the ballistics images of cartridge casings and bullets recovered at crime scenes, even when criminals obliterate the serial number.

In recent months, we have seen snipers with an assault rifle kill people around the country and a student at the University of Arizona go to his school and kill three of his teachers and himself. These events represent only a few of the thousands of murders that have already occurred this year. These brutal killing sprees were given national media attention, and hopefully will generate legislative action. While there is little time left in the 107th Congress to address these issues, it is critical that we press for consideration of these issues early in 108th Congress.

THE CONFIRMATION OF 98 JUDICIAL NOMINEES

Mr. LEAHY. Mr. President, yesterday the Senate confirmed the 98th judicial nominee of President George W. Bush.

These past 16 months, since the reorganization of the Senate Judiciary Committee following the change in majority last year, have been an historic and impressive period in which we have fairly considered hundreds of the President's executive and judicial branch nominees. Despite partisan rhetoric to the contrary, the Senate has done a good job.

If this Senate had a "lousy" record on judicial confirmations, then the Republican leadership, which controlled the pace on confirmations from 1995 through the first part of 2001, must have been far, far worse than "lousy". Under Republican control judicial vacancies on the Courts of Appeals more than doubled, from 16 to 33, and overall vacancies rose from 65 to 110. We have heard no criticism from the White House of that period, in which Senate Republicans blocked President Clinton's nominees. We have heard no apologies from the Republican leadership that engineered those efforts.

Just last night, in one night, the Democratic-led Senate confirmed more judges, 18, including more circuit judges, than the Republican-led Senate allowed to be confirmed in the entire 1996 session more in one day than Republicans were willing to proceed on for an entire year. Seventeen of those judges were the nominations we were able to get reported from the Committee on October 8 with some significant effort and in spite of Republican efforts to divert the Committee into other matters.

This week the Committee met, again, as I had said it would. We considered the nominations of Dennis Shedd and Michael McConnell and voted on them as the 101st and 102nd judicial nominations voted on by the Committee during the last 16 months and reported them to the Senate. One hundred judicial nominations have now been reported favorably to the Senate by the Judiciary Committee during the past 16 months; two were rejected. One indication of the fairness with which we have conducted ourselves is that as

chairman I have proceeded to consider nominations that I do not support and the Committee has reported nominations that I do not support to the Senate. As I said during this week's Committee consideration of the Shedd nomination, for example, having examined his record as a District Court Judge, I intend to vote against his nomination to the Court of Appeals for the Fourth Circuit.

With the Senate's actions last night, we have confirmed 98 of this President's judicial nominees in only 16 months. This compares most favorably to the 38 judicial confirmations averaged per year during the six and one-half years when the Republican majority was in control of the Senate. Last night, the Senate confirmed another 18 judicial nominees. In the entire 1996 session over the course of an entire year, the Republican majority allowed only 17 district court judges to be confirmed all year and would not confirm a single circuit court nominee—not one. Last night, the Democratic-led Senate confirmed all 17 district court nominees reported to the Senate by the Judiciary Committee after our October 8 business session as well as a 6th Circuit nominee from Kentucky. The Democratic-led Senate exceeded in one day what it took the Republican majority of the Senate an entire year to accomplish. That should put our historic demonstration of bipartisanship toward this President's judicial nominees in perspective.

The 17 district court nominees confirmed last night were on the Senate calendar because, on October 8, the Senate Judiciary Committee was able to report those nominations despite unparalleled personal attacks by Republicans on me as chairman. The circuit court nominee confirmed last night, Professor John Rogers, is the second of this President's judicial nominees confirmed to the Sixth Circuit this year. They are the first confirmations to the 6th Circuit since 1997, when Republicans for four years shut down consideration of President Clinton's nominees to that circuit. Three of President Clinton's nominees to that court were never allowed a hearing by the Republican majority; the Democratic majority has, in contrast, proceeded to confirm two new judges to that same circuit court.

The hard, thankless, but steady work of the Democratic members of the Judiciary Committee has reduced judicial vacancies substantially during these last 16 months. We inherited 110 vacancies and an additional 49 have arisen since July 10, 2002. Today, after 98 confirmations, district and circuit court vacancies combined number only 60—not the more than 150 vacancies that would exist had we shut down the process or the 111 vacancies that would exist if we had followed the Republican pace of confirmation during the Clinton administration. The President has failed to send nominations for almost half of the 60 current vacancies on the

district and circuit courts and only 11 of his remaining nominees have both home-State consent and ABA ratings. Despite false attacks on our record, the Senate has acted with bipartisanship, fairness and expedition on this President's judicial nominees, confirming 98 in just 16 months. We have reduced judicial vacancies from the 110 we inherited to fewer than the 65 vacancies the Republicans began with when they took over the Senate in 1995. Unlike the Republican majority that allowed judicial vacancies grow, we have outpaced attrition and reduced the overall level of vacancies, including the vacancies on the circuit courts.

IN MEMORY OF LIVES LOST IN THE BERING SEA ON OCTOBER 20, 2002

Mrs. MURRAY. Mr. President, I rise today to express my condolences to the families and friends of men who lost their lives recently because of an accident aboard the *Galaxy*, which was fishing for cod in the Bering Sea.

Aboard the *Galaxy* were First Mate Jerry L. Stephens of Edmonds, Washington; Crewman Jose R. Rodas of Pasco, Washington; and Cook George Karn of Anchorage, Alaska. From the *Clipper Express*: Crewman Daniel Schmiedt of Arlington, Washington.

On October 20, 2002, an explosion occurred aboard the *Galaxy*, a 180-foot vessel fishing for cod off of Alaska's remote Pribilof Islands. Preliminary reports indicate that crew members were battling a small fire below deck when a hatch was opened to allow smoke to escape. This triggered an explosion which ignited multiple fires that quickly superheated its iron hull. With little time to act, the crew scrambled to don survival suits and release lifeboats as they tried to rescue shipmates who had been thrown overboard by the blast.

Captain Dave Shoemaker of Carnation, Washington, sustained burns and broken ribs as he struggled through the fire to make the crucial Mayday call alerting the Coast Guard and other fishing vessels to come to the *Galaxy's* assistance. The heroic efforts of Deck Boss Ryan Newhall of San Antonio, Texas, saved the life of National Marine Fisheries Service biologist Ann Weckback, who was thrown into the icy water without a survival suit. One of the fishing boats which responded to the Mayday call, the *Clipper Express*, was drawn into the tragedy when 24 year old crew member Daniel Schmiedt was swept overboard during the rescue operation.

It may be months until we know what caused the fatal explosion on the *Galaxy*. However, the immediate response of the *Clipper Express* and the other ships that came to the rescue of the *Galaxy's* crew is a testament to the industry. My heart goes out to the families and friends of the four men who died on October 20, 2002. I extend my deep appreciation to all those in the fishing industry and the Coast

Guard who responded quickly to prevent even greater loss of life from this accident.

IDENTITY THEFT VICTIMS ASSISTANCE ACT OF 2002

Ms. CANTWELL. Mr. President, the Senate, last night, took a great step toward helping the victims of identity theft, and those law enforcement officers investigating identity theft, by passing S. 1742, the Identity Theft Victims Assistance Act of 2002.

This legislation provides a consistent national remedy for victims of identity theft to restore their credit and their good name. This bill is a critical step in helping victims of identity theft restore their good credit.

Identity theft can be extraordinarily destructive to people's lives. People are denied credit, spend enormous time, effort, and money correcting the problems caused by identity theft, and suffer profound frustration and distress in dealing with the problems that result from identity theft.

These problems often arise when they have the potential to wreak the greatest havoc: when buying a new home or a car, or getting a loan to put a child through college. It can be devastating to make a major life change, only to find out that your creditworthiness has been destroyed by fraud, and it is going to take months of excruciating effort by you to clear your name.

These crimes rarely meet the threshold for prosecution because each crime involves a small amount of money. Meanwhile victims must independently contact numerous federal, state and local law enforcement agencies, consumer credit reporting agencies and creditors over a period of years, as each new event of fraud arises.

One of the most significant problems victims face is gathering the evidence of the fraudulent use of their identity. In order to prove fraud, the victim needs copies of creditors' business records, such as applications, invoices or other information related to the fraudulent transactions. These records are often difficult to obtain because the victim's personally identifying information does not match the fraudulent information on file with the business. Ironically, in the interest of protecting consumer privacy, a business will refuse to provide the information to the victim, believing the victim to be an unauthorized third party.

This bill establishes a nationwide process for all victims of identity theft to obtain business records that are evidence of identity theft to enable a victim to reclaim his or her identity and assist law enforcement in finding the thieves.

This legislation also requires consumer credit agencies to block reporting of bad credit that arises from identity theft, so the harm caused to the victim is stopped dead in its tracks.

The bill also extends the statute of limitation from 2 years to 4 years, giv-

ing victims a reasonable time period to decide whether they need to sue a business under the Fair Credit Reporting Act.

Finally, the bill amends the Internet False Identification Prevention Act of 2000 to expand the jurisdiction and membership of the Coordinating Committee currently studying enforcement of Federal identity theft law. This will allow the Coordinating Committee to examine State and local identity theft law enforcement and identify ways the federal government can better assist state and local law enforcement in addressing identity theft and related crimes.

The bill is based on a Washington state law enacted in 2001. Other States, including California and Idaho, have enacted similar laws. But identity theft is a national problem growing at an exponential rate. Identity information may be stolen in Washington state and used to perpetrate a fraud in Wisconsin, New Jersey, or Alabama. That is why it is critical that we have passed this bill to help all victims move more quickly and easily through the process of restoring their good name at the least emotional and financial cost as possible.

I thank my colleagues who have worked hard with me to bring this legislation to the floor. Particularly, my thanks goes to Senators ENZI, GRASSLEY and LEAHY, and Banking Committee Chairman SARBANES.

I also want to mention the broad support that this legislation has received. The bill is supported by the National Center for the Victims of Crime, the Fraternal Order of Police, Consumers Union, Identity Theft Resource Center, U.S. Public Interest Group, Police Executive Forum, Privacy Rights Clearinghouse, and Amazon.com, and the Committee has received a letter of support signed by 22 Attorneys General.

The passage yesterday of this legislation is a win for consumers and a win for businesses because identity theft leaves both as victims in its wake. It should be among the highest priorities in the waning days of this Congress that we work together to get the bill enacted into law. The sooner we give victims of identity theft these tools, the more victims we will help and the fewer businesses that will be defrauded by identity theft in the future.

LOAN FORGIVENESS FOR SOCIAL WORKERS AND ATTORNEYS CAN IMPROVE CHILD WELFARE SERVICES

Mr. ROCKEFELLER. Mr. President, I am very proud to join my friend and colleague, Senator DEWINE, as an original cosponsor of two important bills, S. 3165 and S. 3166, to offer loan forgiveness to social workers and attorneys willing to work in the child welfare field. Senator DEWINE has been an inspiring leader on child welfare issues for many years, and I am delighted to work closely with him to continue to